

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

JEROME ROSS and	)	
ERNESTINE ROSS,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action Number: 2:07-cv-792-WKW
	)	
PROGRESSIVE SPECIALTY	)	
INSURANCE COMPANY,	)	
	)	
Defendants.	)	

**MOTION FOR SUMMARY JUDGMENT**

Comes now the defendant, Progressive Specialty Insurance Company, pursuant to Rule 56 of the Federal Rules of Civil Procedure, and moves the court to enter a summary judgment in its favor on the plaintiffs' claims for bad faith, fraud, negligence, wantonness, and outrage on the ground that there is no genuine issue as to any material fact and that it is entitled to a judgment as a matter of law.

This motion is based upon the pleadings and the affidavit of Larry Lackey. Progressive is submitting a memorandum brief in support of this motion.

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/s/ R. Larry Bradford

R. Larry Bradford, Attorney for  
Defendant, Progressive Specialty  
Insurance Company  
Attorney Bar Code: ASB-8038-F64R

/s/ Shane T. Sears

Shane T. Sears, Attorney for Defendant,  
Progressive Specialty Insurance Company  
Attorney Bar Code: ASB-5531-R68S

OF COUNSEL:

Bradford & Sears, P.C.  
2020 Canyon Road, Suite 100  
Birmingham, Alabama 35216  
(205) 871-7733  
[lbradford@bradfordsears.com](mailto:lbradford@bradfordsears.com)  
[ssears@bradfordsears.com](mailto:ssears@bradfordsears.com)

**CERTIFICATE OF SERVICE**

I hereby certify that I have this the 25<sup>th</sup> day of March, 2008 filed a copy of the foregoing to all attorneys of record by filing same electronically and/or placing a copy of same in the United States Mail, postage prepaid and properly addressed as follows:

Jon M. Folmar, Esq.  
Law Office of Jon M. Folmar  
P.O. Box 642  
Laverne, AL 36049

/s/ Shane T. Sears

OF COUNSEL